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Peninsula Democratic Coalition  
1360 Emerson Street  
Palo Alto, CA 94301  
April 6, 2013

Ms Rosa Lewis  
Senior Campaign Finance Analyst  
Reports Analysis Division  
Federal Election Commission  
999 E Street NW  
Washington, DC 20403

Dear Ms Lewis,

This is in response to your emailed letter of April 2, 2013 concerning the contribution we received from the "Ira Ruskin for State Senate Committee".

A copy of page 3 of the Guide for Nonconnected Committees downloaded on April 17, 2012 (therefore this was the best information available for the report in question). Please see the highlighted paragraph indicating that a single federal bank account may be used for both federal and nonfederal activities. We consolidated our state and federal accounts when the balance in our state account fell below the threshold required to avoid excessive monthly fees on the account. A ledger showing this transfer of funds to the federal account and the use of these funds is shown. All transfer of funds from this account for federal use are shown. They were administrative expenses and were reported on Schedules H1, H3, and H4.

A copy of the Contribution Limit table from the Nonconnected Committee guide is included. All contributions to state funds are within the specified limits. Please see the highlighted entries.

We have made our best efforts to meet the rules of the FEC. I trust that this letter resolves the issues in the included letter from you. I can be reached by phone at 650-326-6328, email at joerolfe@comcast.net, or by US mail at the address above

Sincerely,

Joseph Rolfe  
Peninsula Democratic Coalition (PDC)  
Treasurer

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## CHAPTER 2

# Getting Started

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### 1. Registering with the FEC

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#### \$1,000 Registration Threshold

The Act requires political committees to register with the FEC. A nonconnected committee becomes a political committee once its contributions or expenditures exceed \$1,000 in a calendar year. 100.5(a).

After the committee crosses that threshold, it must register within 10 days and periodically report all financial activities. 102.1(d). However, a nonconnected committee may register and begin reporting before it exceeds the \$1,000 threshold. 104.1(b).

#### Registration Form

The registration form is FEC Form 1, the Statement of Organization. 102.2. See Section 4, below, for more information. Blank forms and instructions can be obtained from the FEC or from the Commission's web site at [www.fec.gov/info/forms.shtml](http://www.fec.gov/info/forms.shtml).

#### Establishing Federal and Nonfederal Bank Accounts

All political committees must register an official committee depository. 103.2. A committee engaging in both federal and nonfederal election activity has two options:

- Set up one federal account (accepting only contributions subject to the limits and prohibitions of the Act) to support both federal and nonfederal candidates and report all activity to the FEC; or
- Set up two accounts—one for federal elections and another for state and local elections. 102.5(a)(1).

The second option permits the committee to maintain a separate nonfederal account that has no federal registration or reporting obligations. When conducting an activity that relates to both federal

and nonfederal elections however, the committee must allocate the costs between the two accounts. 106.6. For further information regarding allocation, see Chapter 10. Also, please note that any activity (including reporting requirements) by nonfederal accounts is governed by relevant state law. A nonfederal account generally has no reporting obligations with the FEC.

Note: Because PACs established, financed, maintained or controlled by a federal candidate may not accept federally impermissible funds, even those funds in the nonfederal account of a leadership PAC must comply with federal limits and prohibitions. In fact, the total contributions from individuals to the PAC's federal and nonfederal accounts may not exceed \$5,000 per calendar year. 110.1(d).

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### 2. Treasurer

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#### Treasurer Required

The committee must have a treasurer before it accepts contributions or makes expenditures. 102.7(a) and (b). Also, only a treasurer or designated assistant treasurer may sign FEC reports and statements (see "Vacancy in Office," below). 102.2(a), 104.1(a) and 104.14(a).

#### Treasurer's Duties

The treasurer (or registered assistant treasurer) is responsible for:

- Filing complete and accurate reports and statements on time. 104.14(d).
- Signing all reports and statements. 102.2(a), 104.1(a) and 104.14(a).
- Depositing receipts in the committee's designated bank within 10 days of receipt. 103.3(a).
- Authorizing expenditures or appointing an agent (either orally or in writing) to authorize expenditures. 102.7(c).

## Contributions and Other Sources of Support

### CONTRIBUTION LIMITS for 2007 – 08

Donors	Recipients				Special Limits
	Candidate Committee	PAC	State, District and Local Party Committee <sup>2</sup>	National Party Committee <sup>3</sup>	
Individual	<b>\$2,300*</b> per election <sup>4</sup>	<b>\$5,000</b> per year	<b>\$10,000</b> per year combined limit	<b>\$28,500*</b> per year	Biennial limit of <b>\$108,200*</b> (\$42,700 to all candidates and \$65,500 <sup>5</sup> to all PACs and parties)
State, District and Local Party Committee	<b>\$5,000</b> per election combined limit	<b>\$5,000</b> per year combined limit	Unlimited transfers to other party committees		<none>
National Party Committee	<b>\$5,000</b> per election	<b>\$5,000</b> per year			<b>\$39,900*</b> to Senate candidate per campaign <sup>6</sup>
PAC Multicandidate <sup>7</sup>	<b>\$5,000</b> per election	<b>\$5,000</b> per year	<b>\$5,000</b> per year combined limit	<b>\$15,000</b> per year	<none>
PAC Not Multicandidate	<b>\$2,300*</b> per election <sup>8</sup>	<b>\$5,000</b> per year	<b>\$10,000</b> per year combined limit	<b>\$28,500*</b> per year	<none>

\*These limits are indexed for inflation in odd-numbered years.

<sup>1</sup> These limits apply both to separate segregated funds (SSFs) and political action committees (PACs).  
Affiliated committees share the same set of limits on contributions made and received.

<sup>2</sup> A state party committee shares its limits with local and district party committees in that state unless a local or district committee's independence can be demonstrated. These limits apply to multicandidate committees only.

<sup>3</sup> A party's national committee, Senate campaign committee and House campaign committee are each considered national party committees, and each have separate limits, except with respect to Senate candidates—see Special Limits column.

<sup>4</sup> Each of the following is considered a separate election with a separate limit: primary election, caucus or convention with the authority to nominate, general election, runoff election and special election.

<sup>5</sup> No more than \$42,700 of this amount may be contributed to state and local parties and PACs.

<sup>6</sup> This limit is shared by the national committee and the Senate campaign committee.

<sup>7</sup> A multicandidate committee is a political committee that has been registered for at least six months, has received contributions from more than 50 contributors and—with the exception of a state party committee—has made contributions to at least five federal candidates.

<sup>8</sup> A federal candidate's authorized committee(s) may contribute no more than \$2,000 per election to another federal candidate's authorized committee(s). 2 U.S.C. §432(e)(3)(B) and 11 CFR 102.12(c)(2) and 102.13(c)(2).

## Peninsula Democratic Coalition - FEC ID: C00427203 - State Funds

Trans- action Date	Report Date	Description	Debit	Credit	Balance
2/15/2011		Transfer From State Account (Close State Account)		1,655.62	1,655.62
	7/31/2011	No State Funds used in this FEC Report			1,655.62
1/19/2012	1/31/2012	Transferred from State to Federal funds	1,179.40		476.22
4/15/2013	4/15/2012	Transferred from State to Federal funds	492.47		(16.25)
6/26/2012		Ira Ruskin For State Senate Check (State Funds Only)		5,000.00	4,983.75
7/5/2012	7/15/2012	Transferred from State to Federal funds	507.35		4,476.40
10/5/2012	10/15/2012	Transferred from State to Federal funds	318.90		4,157.50
10/17/2012	10/22/2012	Transferred from State to Federal funds	171.73		3,985.77
10/25/2012		Democratic State Central Committee - CA		1,666.24	5,652.01
11/1/2012		Democratic State Central Committee - CA		2,196.96	7,848.97
12/3/2013	12/6/2013	Transferred from State to Federal funds	322.73		7,526.24
1/2/2013	1/31/2013	Transferred from State to Federal funds	992.00		6,534.24



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

RQ-2

April 2, 2013

JOSEPH ROLFE, TREASURER  
PENINSULA DEMOCRATIC COALITION  
1360 EMERSON STREET  
PALO ALTO, CA 94301

**Response Due Date**

**05/07/2013**

IDENTIFICATION NUMBER: C00427203

REFERENCE: JULY QUARTERLY REPORT (04/01/2012 - 06/30/2012)

Dear Treasurer:

This letter is prompted by the Commission's preliminary review of the report referenced above. This notice requests information essential to full public disclosure of your federal election campaign finances. **Failure to adequately respond by the response date noted above could result in an audit or enforcement action.** Additional information is needed for the following 1 item(s):

1. Schedule A of your report (see attached) discloses one or more contributions from an organization, which is not a political committee registered with the Commission. In order for your committee to accept contributions from unregistered organizations into accounts used to influence federal elections, your committee should take steps to insure that the contributor(s) used permissible funds to make the contribution(s) to avoid violating 2 U.S.C. § 441a(f) and 441b or 11 CFR §102.5(b). Under 11 CFR §102.5(b), organizations which are not political committees under the Act and choose to contribute to federal committees must either: 1) establish a separate account which contains only those funds permitted under the Act, or 2) demonstrate through a reasonable accounting method that the organization has received sufficient funds subject to the limitations and prohibitions in order to make the contribution.

If any apparently prohibited contribution in question was incompletely or incorrectly disclosed, you should amend your original report with clarifying information. In addition, please clarify whether the contribution(s) received from the referenced organization(s) is permissible.

To the extent that your committee has received prohibited funds, you may have to make a refund. If within 30 days of receipt you (1) transferred the prohibited amount to an account not used to influence federal elections, and (2) provided

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## PENINSULA DEMOCRATIC COALITION

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written notice to the person making the contribution of the option of receiving a refund, you may retain the contribution in an account not used to influence federal elections. Any request from a donor for a refund must be honored.

If the foregoing conditions for transfers to a non-federal account were not met within 30 days of receipt, the prohibited amount must be refunded. (11 CFR §103.3(b)(1))

Please inform the Commission of your corrective action promptly in writing and provide a photocopy of your check for any transfer out or refund. Should you choose to transfer out or refund the contribution(s), the Commission will presume the funds were impermissible if no statement from your committee provides information to the contrary. Transfers out and refunds should be disclosed on a Schedule B supporting Line 22 or 28 of the report covering the period during which the transaction was made.

Although the Commission may take further legal action concerning the acceptance of prohibited contributions, prompt action by your committee in transferring out or refunding the amounts will be taken into consideration.

- Your report disclosed a category of financial activity that has been reflected on the wrong line of the Detailed Summary Page. For your information and consideration when preparing future filings, Operating expenditures should be properly disclosed on a separate Schedule B, supporting Line 21(b) of the Detailed Summary Page. Please refer to the instructions for each line when determining the proper categorization(s) for your next filing. (2 U.S.C § 434(b) and FORM 3X Instructions)

**Please note, you will not receive an additional notice from the Commission on this matter.** Adequate responses must be received by the Commission on or before the due date noted above to be taken into consideration in determining whether audit action will be initiated. Failure to comply with the provisions of the Act may also result in an enforcement action against the committee. Any response submitted by your committee will be placed on the public record and will be considered by the Commission prior to taking enforcement action. **Requests for extensions of time in which to respond will not be considered.**

Electronic filers must file amendments (to include statements, designations and reports) in an electronic format and must submit an amended report in its entirety, rather than just those portions of the report that are being amended. If you should have any questions regarding this matter or wish to verify the adequacy of your response, please

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PENINSULA DEMOCRATIC COALITION

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contact me on our toll-free number (800) 424-9530 (at the prompt press 5 to reach the Reports Analysis Division) or my local number (202) 694-1152.

Sincerely,

*Rosa Lewis*

Rosa Lewis  
Senior Campaign Finance Analyst  
Reports Analysis Division

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**Excessive, Prohibited, and Impermissible Contributions**  
**PENINSULA DEMOCRATIC COALITION (C00427203)**

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**Contribution from Unregistered Organization**

Contributor Name	Date	Amount	Report
IRA RUSKIN FOR STATE SENATE	6/26/12	\$5,000	2012 July Quarterly

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Federal Election Commission  
**ENVELOPE REPLACEMENT PAGE FOR INCOMING DOCUMENTS**  
The FEC added this page to the end of this filing to indicate how it was received.

<input type="checkbox"/> Hand Delivered	Date of Receipt
<input type="checkbox"/> USPS First Class Mail	Postmarked
<input checked="" type="checkbox"/> USPS Registered/Certified	Postmarked (R/C) <i>4/6/13</i>
<input type="checkbox"/> USPS Priority Mail <div style="text-align: right;">Delivery Confirmation™ or Signature Confirmation™ Label <input type="checkbox"/></div>	Postmarked
<input type="checkbox"/> USPS Express Mail	Postmarked
<input type="checkbox"/> Postmark Illegible	
<input type="checkbox"/> No Postmark	
<input type="checkbox"/> Overnight Delivery Service (Specify):	Shipping Date
	Next Business Day Delivery <input type="checkbox"/>
<input type="checkbox"/> Received from House Records & Registration Office	Date of Receipt
<input type="checkbox"/> Received from Senate Public Records Office	Date of Receipt
<input type="checkbox"/> Received from Electronic Filing Office	Date of Receipt
<input type="checkbox"/> Other (Specify):	Date of Receipt or Postmarked
<i>Imp</i> PREPARER (3/2005)	<i>4/12/13</i> DATE PREPARED

(3/2005)

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